

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 06-CR-327

HENRY R. BROWN,

Defendant.

ORDER DENYING MOTIONS FOR RETURN OF PROPERTY (DOCS. 192, 194)

In February 2011, Henry Brown was convicted in this court of one count of conspiracy to possess with intent to distribute and distribution of five kilograms or more of illegal drugs and one count of aiding and abetting the possession with intent to distribute five kilograms or more of cocaine. The court sentenced him to concurrent terms of life imprisonment, though former President Barack Obama commuted that sentence to a term of 292 months. (See Doc. 198 at 4.)

Henry Brown, Lakeyshia Brown, and Yvette Gray moved for return of property under Fed. R. Crim. P. 41(g). (Doc. 192.) They later filed a supplemental motion to add one more item. (Doc. 194.)

Rule 41(g) provides that a person aggrieved by an unlawful search and seizure of property or by the deprivation of property may move for the property's return. "The motion must be filed in the district where the property was seized." Fed. R. Crim. P. 41(g).

In Document 192, Brown, Brown, and Gray seek the return of all property seized during three searches of property and during the arrest of Henry Brown. However, the motion indicates that the three searches occurred at addresses in Berkeley, Illinois; Westchester, Illinois; and Brookfield, Illinois. Attachments to the motion, consisting of evidence-recovery

logs, confirm that the searches took place at addresses in Illinois. (See Doc. 194, Exs. A, B, C.) Further, the final attachment to the motion establishes that the search of Henry Brown's person that resulted in seizure of various items that he now wishes to recover occurred at Midway Airport, located in Chicago, Illinois.

In Document 194, the movants seek the return of a 2000 GMC van that was seized during a search in Addison, Illinois, and inventoried by the Federal Bureau of Investigation in Westchester, Illinois.

This court is not the proper court for the Rule 41(g) motions, as none of the items that the movants seek to recover were seized in the Eastern District of Wisconsin. Therefore,

IT IS ORDERED that the motions for return of property (Docs. 192, 194) are denied.

Dated at Milwaukee, Wisconsin, this 30th day of March, 2017.

BY THE COURT

s/ C. N. Clevert, Jr.
C. N. CLEVERT, JR.
U.S. DISTRICT JUDGE